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35227 7590 12/08/2009 POLYONE CORPORATION 33587 WALKER ROAD AVON LAKE, OH 44012				
EXAMINER				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The term "consisting essentially of" only excludes those materials which materially affect the novel and basic characteristics of the claimed invention, MPEP 211.03 not that of the prior art and it is therefore immaterial what effect PPE has on Laughners invention. Furthermore there is nothing in the applicants specification indicating that low impact strength (such as applicants appear to possibly allege results from elimination of PPE) is a novel and basic element of applicants invention.

JCM

12-6-09

/Jeffrey C. Mullis/

Primary Examiner, Art Unit 1796